

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMUEL B. FOSTER, JR.,

Plaintiff,

-against-

DOC NYC et al.,

Defendants.

23-CV-3613 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

On May 10, 2023, the Court issued an order (1) substituting the Defendant New York City Department of Corrections with the City of New York and (2) dismissing claims against Defendant New York City Department of Health (understood to be a reference to the NYC Health + Hospitals) without prejudice. ECF No. 6. On July 26, 2023, Plaintiff Samuel B. Foster filed an amended complaint. As relevant here, the amended complaint again brings claims against the Department of Corrections and the New York City Department of Health. ECF No. 18.

For the reasons stated in the Court's May 10, 2023 order (ECF No. 6), Foster's claims against the New York City Department of Corrections and New York City Department of Health are dismissed. In light of Foster's *pro se* status and his clear intention to assert claims against the City of New York and NYC Health + Hospitals, the Clerk of Court is directed to amend the caption of this action to replace "New York City Dept. of Correction" with the City of New York and to replace "New York City Dept. of Health" with the NYC Health + Hospitals.

The Court requests that Defendant City of New York waives service of summons. The Court directs the Clerk of Court to serve a copy of this Order and the amended complaint on the NYC Health + Hospitals at 50 Water Street, 17th Floor, New York, NY 10004.

SO ORDERED.

Dated: September 26, 2023
New York, New York

A handwritten signature in black ink, appearing to read 'Arun Subramanian', is written over a horizontal line.

ARUN SUBRAMANIAN
United States District Judge